

CORRECTED


AGENDA ITEM #9  
June 10, 2008

**Introduction**

**MEMORANDUM**

June 6, 2008

TO: County Council

FROM: Jeffrey L. Zyontz,  Legislative Attorney

SUBJECT: **Introduction:** Zoning Text Amendment 08-12,  
Landscape Contractors – General Commercial (C-2) Zone

Zoning Text Amendment (ZTA) 08-12, sponsored by Councilmember Floreen, is scheduled to be introduced on June 10, 2008. ZTA 08-12 would amend the Zoning Ordinance to allow a landscape contractor on C-2 zoned property if the property abuts a rail road right-of-way but does not abut residential property. A public hearing will be held on July 15, 2008 at 1:30 p.m. if the Council approves the attached resolution.

Zoning Text Amendment No.: 08-12  
Concerning: Landscape Contractors –  
General Commercial (C-2) Zone  
Draft No. & Date: 1-5/30/2008  
Introduced: June 10, 2008  
Public Hearing: July 15, 2008  
Adopted:  
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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By: Councilmember Floreen

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- allow a landscape contractor as a permitted use in the General Commercial (C-2) Zone under certain circumstances.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-C-4	“COMMERCIAL ZONES”
Section 59-C-4.2	“Land Uses”

**EXPLANATION:**

***Boldface*** indicates a heading or a defined term.

*Underlining* indicates text that is added to existing laws by the original text amendment.

***[Single boldface brackets]*** indicate text that is deleted from existing law by the original text amendment.

*Double underlining* indicates text that is added to the text amendment by amendment.

***[[Double boldface brackets]]*** indicate text that is deleted from the text amendment by amendment.

*\*\*\** indicates existing law unaffected by the text amendment.

*ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1 DIVISION 59-C-4 is amended as follows:**

**Division 59-C-4. COMMERCIAL ZONES**

\* \* \*

**Sec. 59-C-4.2. Land uses.**

No use is allowed except as indicated in the following table:

-Permitted Uses. Uses designated by the letter "P" are permitted on any lot in the zones indicated, subject to all applicable regulations.

-Special Exception Uses. Uses designated by the letters "SE" may be authorized as special exceptions under article 59-G.

	C-T	C-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
* * *												
d) Commercial:												
* * *												
Landscape contractor.	P <sub>60</sub>					<u>P*</u>						
* * *												

\* Abutting a railroad right-of-way and not abutting or confronting any lot or parcel zoned or used for a residential purpose.

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17       **Sec. 2. Effective date.** This ordinance takes effect 20 days after the date of  
18 Council adoption.

19 This is a correct copy of Council action.

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23 Linda M. Lauer, Clerk of the Council

Resolution No:  
Introduced: June 10, 2008  
Adopted: June 10, 2008

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Floreen

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Subject: Notice of Public Hearing on Zoning Text Amendment 08-12

Background

1. Section 59-H-9.3 of the Montgomery County Ordinance requires that, within 30 days of introduction of any text amendment, the Council act by resolution to set a date and time for public hearing on the proposed amendment.
2. Zoning Text Amendment No. 08-12, introduced on June 10, 2008, would amend the Zoning Ordinance to allow a landscape contractor as a permitted use in the General Commercial (C-2) Zone under certain circumstances.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

Legal notice will be given of the public hearing to be held on July 15, 2008 at 1:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, for the purpose of giving the public an opportunity to comment on the proposed amendment.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council